Document #5151
Adopted

MEMORANDUM MARCH 23, 1989

TO: BOSTON REDEVELOPMENT AUTHORITY
AND STEPHEN COYLE, DIRECTOR

FROM: ANTHONY A. WILLIAMS, ASSISTANT DIRECTOR FOR NEIGHBORHOOD HOUSING AND DEVELOPMENT
RALPH CAHILL, ASSISTANT GENERAL COUNSEL
PHILIP ZEIGLER, PROJECT COORDINATOR

SUBJECT: SOUTHWEST CORRIDOR PARCEL, HYDE PARK.
ORDER OF TAKING FOR REUSE PARCEL LT-1 LOCATED AT 25, 19, 17 AND 11 BUSINESS STREET AND 1318 RIVER STREET CONSISTING OF APPROXIMATELY 8,360 SQUARE FEET.

SUMMARY: This Order of taking is requested so that the BRA can complete the site assembly and convey good title unencumbered by any claim, properties on Business Street, Hyde Park for the construction of four units of housing.

On October 26, 1988, the BRA approved tentative redeveloper designations for BRA Southwest Corridor Parcel SWC-6 on Business Street in Hyde Park. This parcel is among several conveyed to the BRA by the Commonwealth for community development purposes.

In carrying out a title search to determine the exact boundaries of the parcel, it was discovered that a portion of the site consisting of 8,360 square feet had been conveyed by the Commonwealth to the City of Boston, Department of Public Works. The Department of Public Works has no use for the property and has no objection to a transfer to the BRA. The Public Improvement Commission has advertised its intention to discontinue the parcel.

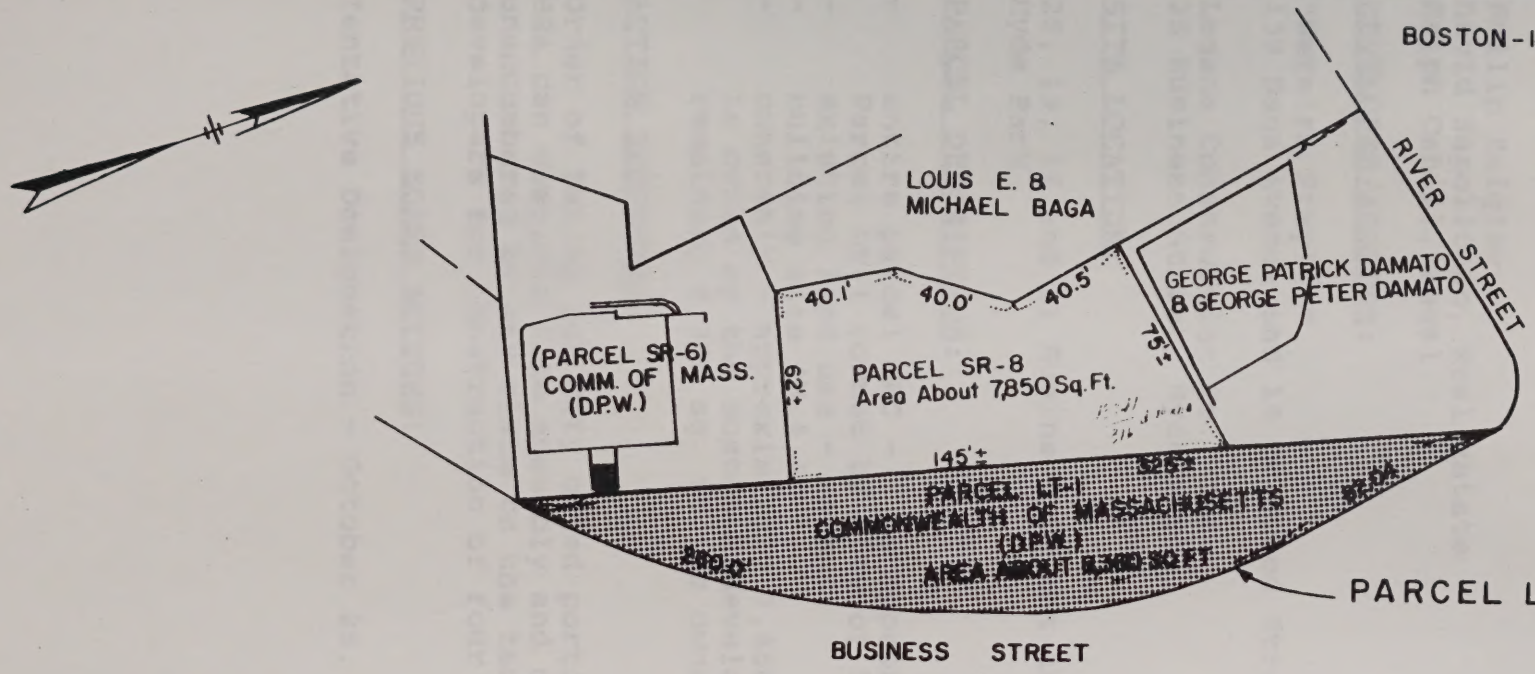
An order of taking to carry out this demonstration project is required to complete the assembly of the entire 16,500 square foot SWC-6 parcel and to ensure that the BRA can convey good title, unencumbered by any claim which might otherwise be asserted against the property. This taking does not involve any award of damages. We can then proceed toward final designation of the tentatively designated developers for the four units of affordable housing.

It is therefore recommended that the BRA adopt the appropriate Order of Taking regarding the above Parcel LT-1 located on Business Street, Hyde Park.

VOTED: To adopt an Order of Taking, and accept title to Parcel LT-1 located at 25, 19, 17 and 11 Business Street and 1318 River Street in Hyde Park.

PZ1.23

BOSTON - 1979 - ONE SHEET



CASE #A010

SCALE
40' 0 40' 80'

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATION OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

COMMONWEALTH OF MASSACHUSETTS
ALBAN G. SHEEHAN
No. 14527
REGISTERED
LAND SURVEYOR

Feb. 12, 1979
DATE

Alban G. Sheehan
SIGNATURE

APPROVED: SEPTEMBER 27, 1979

MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS

The Commonwealth of Massachusetts

PLAN OF LAND

in the City of

BOSTON

SUFFOLK COUNTY

SEPTEMBER 27, 1979

Scale: 40 feet to the inch

Justin L. Ruddle, P.E.
Chief Engineer

PROJECT FACT SHEET

1. PROJECT NAME OR PARCEL:

   Southwest Corridor Parcel SWC - 6, Hyde Park

2. PROJECT MANAGER AND TEAM:

   Philip Zeigler
   David Napolitano, Real estate
   Ralph Cahill, Legal

3. DEVELOPER/ADDRESS:

   "Were're Staying"
   139 Dana Avenue and 14 Braewood Street, Hyde Park

   Lagana Construction Co., Inc.
   25 Business Street, Hyde Park

4. SITE LOCATION:

   25, 19, 17 and 11 Business Street and 1318 River Street
   Hyde Park

5. PARCEL DESCRIPTION:

   - entire parcel SWC - 6 is approximately 16,500 sq. ft. Parcel LT-1 (owned by City of Boston) is 8,360 sq. ft.
   - existing land use - vacant
   - building size (N.A.)
   - ownership - approximately 7,850 sq. ft. of Parcel SWC-6 is owned by the Boston Redevelopment Authority; the remaining 8,360 sq. ft. is owned by the City of Boston.

6. ACTION REQUESTED:

   Order of Taking for City owned portion of parcel so that the BRA can complete site assembly and convey good title unencumbered by any claim to the tentatively designated developers for construction of four units of housing.

7. PREVIOUS BOARD ACTIONS:

   Tentative Designation - October 26, 1988

8. DEVELOPMENT PROGRAM:

Following parcel assembly, the site will be subdivided into five sub-parcels. Two of the sub parcels are undevelopable slivers of property and will be conveyed to abuttors at 25 Business Street and 1318 River Street. Both abuttors currently use the property and have expressed interest in having the slivers conveyed to them.

The remaining portion, approximately 14,500 sq. ft. will be subdivided into three parcels. single family, owner occupied homes will be constructed on two of the parcels; a two family, owner occupied home will be constructed on the other parcel. All four units are affordable.

9. TOTAL DEVELOPMENT COSTS:
There is no acquisition cost associated with this Order of Taking.

10. ZONING:
Not applicable to this Order of Taking.

11. DESIGN:
NA

12. FAIR HOUSING:
NA

13. COMMUNITY REVIEW:
Project has been reviewed and is supported by the community for the construction of affordable housing on the site.

14. NOTIFICATION OF MONS:
Frank O'Brien of MONS has been notified of this Order of Taking.

15. TRANSPORTATION ACCESS PLAN:
NA

16. CENTRAL REGISTER NOTICE:
Not applicable to this Order of Taking

17. BRA APPRAISAL:
Not applicable to the Order of Taking

18. ENVIRONMENTAL CLEARANCE:
NA

Doc/Bk

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated MAR 23 1989 relating to portions of the HYDE PARK section of Boston, Massachusetts, be executed and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Joseph J. Walsh
James K. Flaherty
Clarence J. Jones
Michael F. Donlan
Francis X. O'Brien

A true copy

ATTEST: Kane Simonian

Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority ("Authority"), a public body politic and corporate, duly organized and existing pursuant to the provisions of Massachusetts General Laws, Chapter 121, as superseded and amended by its successor Statute Chapter 121B, as amended, and having its principal office in Boston, Suffolk County, Massachusetts, is desirous of insuring that good and clear title is obtained and conveyed to the parcel described in ANNEX A.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of Massachusetts General Laws, Chapter 121B, as amended, and the Housing Authority Law and all other authority thereto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, awards are made by the Boston Redevelopment

Authority for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B which ANNEX B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: MAR 23 1989

BOSTON REDEVELOPMENT AUTHORITY
By:

ATTEST:

Secretary of the Boston Redevelopment Authority

Approved as to form:

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

AREA DESCRIPTION

The following parcel is to be taken by this Order of Taking:

PARCEL LT-1

That certain parcel of vacant land, in the Hyde Park section of Boston, known as Parcel LT-1, containing approximately 8,360 square feet and shown on a plan entitled, "The Commonwealth of Massachusetts, Plan of Land in the City of Boston, Suffolk County," dated September 27, 1979, by the Department of Public Works, Justin L. Radlo, P.E., Chief Engineer, which Plan is recorded herewith.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

AWARD OF DAMAGES

Award for Order of Taking, dated March 23, 1989, for that vacant land, Parcel LT-1, as shown on a plan entitled, "The Commonwealth of Massachusetts, Plan of Land in the City of Boston, Suffolk County," dated September 27, 1979, consisting of approximately 8,360 square feet, Supposed Owner: City of Boston, is $1.00.